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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 United States of America,  
10  
11 Petitioner,

12 v.

13 Eugeniu Glushchenko,  
14 Respondent.

No. CV-19-04678-PHX-SPL (JFM)

**ORDER**

15 The Court has reviewed the Status Report filed by the Government on July 15, 2019.  
16 Because questions remain about whether Respondent continues to intend to refuse nutrition  
17 and his competence to make that determination, and those questions raise constitutional  
18 concerns surrounding Respondent's First and Fourteenth Amendment rights in contrast  
19 with the United States's interest in preserving life, the Court will hold a preliminary  
20 injunction hearing on Friday July 19, 2019 at 10:00 a.m. The United States must ensure  
21 Respondent's telephonic presence at the hearing.

22 **IT IS THEREFORE ORDERED** that the Temporary Restraining Order is  
23 extended until further Order of the Court.

24 **IT IS FURTHER ORDERED** that the United States is enjoined from removing  
25 Respondent from the United States pending further Order of the Court.

26 **IT IS FURTHER ORDERED** the United States must serve the Complaint no later  
27 than July 17, 2019.

28 **IT IS FURTHER ORDERED** setting a preliminary injunction hearing for Friday

1 July 19, 2019 at 10:00 a.m. in Courtroom 501, 401 West Washington Street, Phoenix, AZ  
2 85003 before Judge Steven P. Logan.

3 **IT IS FURTHER ORDERED** that the Department of Homeland Security must  
4 have a representative knowledgeable about Respondent's immigration proceedings attend  
5 the preliminary injunction hearing.

6 **IT IS FURTHER ORDERED** that counsel for the United States shall set up a  
7 telephonic conference to ensure Respondent is available to the Court by telephone for the  
8 Preliminary Injunction Hearing. The telephone call shall be placed to telephone number  
9 (602) 322-7550 five minutes before the hearing is scheduled to take place.

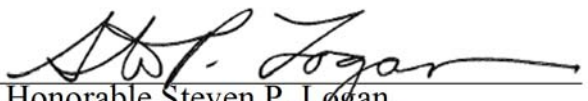
10 **IT IS FURTHER ORDERED** that Respondent may appear at the Preliminary  
11 Injunction Hearing by telephonic conference unless he is physically able to appear in  
12 person.

13 **IT IS FURTHER ORDERED** that, no later than 12:00 p.m. on Thursday July 18,  
14 2019, counsel for the United States shall inform the Court whether an interpreter will be  
15 necessary at the Preliminary Injunction Hearing.

16 **IT IS FURTHER ORDERED** that the United States must submit a memorandum  
17 no later than 5:00 p.m. on Thursday July 18, 2019 regarding its interests in continuing to  
18 involuntarily feed Respondent—an immigration detainee—and how those interests  
19 outweigh vindication of Respondent's First and Fourteenth Amendment rights. The  
20 memorandum must also include the status and historical background of Respondent's  
21 immigration proceedings.

22 **IT IS FURTHER ORDERED** that Respondent may submit a memorandum to the  
23 Court no later than 5:00 p.m. on Thursday July 18, 2019 detailing whether he intends to  
24 continue to refuse nutrition and his reasons for so choosing.

25 Dated this 16th day of July, 2019.

26   
27 Honorable Steven P. Logan  
28 United States District Judge